

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

DRAKE A. EDWARDS

Plaintiff,

Case No. C-3:08-CV-155

-vs-

BEVERLY L. CLARK

**District Judge Thomas M. Rose
Magistrate Judge Sharon Ovington**

Defendant.

**ENTRY AND ORDER ADOPTING REPORT AND RECOMMENDATIONS OF THE
MAGISTRATE JUDGE (DOC. #3), OVERRULING PLAINTIFF'S OBJECTIONS
(DOC. #4), ORDERING PLAINTIFF'S COMPLAINT BE DISMISSED AND
CERTIFYING THAT PURSUANT TO 28 U.S.C. 1915(a) THAT AN APPEAL OF THIS
ORDER WOULD NOT BE TAKEN IN GOOD FAITH DENYING PLAINTIFF'S
LEAVE TO APPEAL *in forma pauperis*; TERMINATION ENTRY**

This matter comes before the Court pursuant to Objections (Doc. #4) to the Report and Recommendations of Magistrate Judge Sharon Ovington (Doc.#3) recommending that Plaintiff's Complaint be dismissed. Although Plaintiff's pleading (Doc.# 4) is captioned motion for recusal, the relief requested from the Court is to "...overturn, overrule Honorable Sharon Ovington..." and is considered by the Court as objections to the Magistrate's Report and Recommendations.

The Court has reviewed the comprehensive findings of the Magistrate Judge and pursuant to 28 U.S.C. Section 636(b) and Fed. R. Civ. P. 72(b), this Court has made a de novo review of the record in this case. Upon consideration of the foregoing, the Court finds the Objections (Doc.# 4) are not well-taken and are hereby OVERRULED.

The Court ADOPTS the Report and Recommendations (Doc. #3) in it's entirety ORDERING that Plaintiff's Complaint be DISMISSED, and pursuant to 18 U.S.C.1915 (a) CERTIFIES that an appeal of this order would not be taken in good faith and, therefore, would DENY any leave to appeal *in forma pauperis* filed by this Defendant. This case is TERMINATED on the docket of this Court.

May 28, 2008

THOMAS M. ROSE

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE